

FILED

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE: 58
NASHVILLE DIVISION

Dr. Regina Jordan-Sodiq, Plaintiff, v. State of Tennessee, et al., Defendants, and Fifth
Third Bank, Defendant.

Case No. 3:25-CV-00288 Judge Eli Richardson Jury Demand

RESPONSE TO FIFTH THIRD BANK'S MOTION TO DISMISS

INTRODUCTION Plaintiff Dr. Regina Jordan-Sodiq ("Plaintiff") respectfully submits this response in opposition to Defendant Fifth Third Bank's ("Defendant") Motion to Dismiss. Defendant's reliance on repetitive procedural arguments imposes undue burdens on Plaintiff and distracts from the substantive issues at the heart of this case. Additionally, Defendant's request for dismissal with prejudice is wholly inappropriate, as Plaintiff's claims are substantiated by evidence and procedurally sound. For the reasons outlined below, Plaintiff respectfully requests this Court deny Defendant's Motion to Dismiss in its entirety. While the court has administratively closed this case, Plaintiff emphasizes that Defendant's pending motion requires a timely and substantive response to ensure procedural integrity. Plaintiff's obligation to address Defendant's arguments remains essential in preserving transparency, fairness, and adherence to judicial processes.

NOTICE OF SERVICE

To: Katherine R. Rogers Burr & Forman, LLP 222 2nd Avenue South, Suite 2000 Nashville, TN 37201 and Corporation Service Company (Registered Agent) , 10200 David Taylor Drive, Suite 200, Nashville, TN 37212.

Plaintiff Dr. Regina Jordan-Sodiq hereby provides notice to the Court and opposing counsel of service of the attached response to Defendant Fifth Third Bank's Motion to Dismiss, along with related exhibits. Service has been executed via:

1. **USPS Certified Mail** with confirmation receipt requested, sent on April , 2025.
2. **Email Delivery** to the email address on record: katherine.rogers@burr.com.

Enclosed within this filing are the March 21st 2025 and April 2nd 2025 response and subsequent affidavit attesting to compliance with Tennessee Rules of Civil Procedure. Attached documentation includes the return receipt and USPS mailing record for verification.

ARGUMENT

- **Defendant's Procedural Strategy Undermines Judicial Efficiency** Defendant's repeated motions and reliance on similar procedural arguments create inefficiencies and place unnecessary financial and logistical burdens on Plaintiff. This litigation tactic distracts from addressing the substantive claims presented by Plaintiff and lacks a genuine effort to engage with the merits of the case. Courts disfavor motions that fail to

contribute meaningfully to resolving legal disputes, particularly those employing redundant arguments.

- **Incorporation of Previous Response** In addition to this response, Plaintiff incorporates the March 21, 2025, and April 2, 2025, responses previously filed with the Court. These responses articulate Plaintiff's initial rebuttals and procedural adherence, which remain relevant to countering Defendant's claims. Including this prior filing further demonstrates Plaintiff's consistent efforts to engage transparently and in good faith with this litigation process. A summons and complaint will be sent to Fifth Third Bancorp's registered agent in Tennessee, listed as Corporation Service Company, with their address being: **10200 David Taylor Drive, Suite 200, Nashville, TN 37212.**
- **Defendant's Motion Fails to Introduce New or Substantive Claims** Defendant's recycled arguments are insufficient to warrant dismissal. Plaintiff's complaint articulates clear and specific claims of systematic harassment, intentional emotional distress, and procedural inequities, all supported by compelling evidence. The Tennessee Rules of Civil Procedure, specifically Rule 8.01, are satisfied by Plaintiff's concise statement of claims, which informs Defendant of the case's nature and grounds for relief. Defendant's failure to engage substantively with Plaintiff's claims demonstrates their reliance on procedural avoidance rather than addressing the issues raised.
- **Dismissal with Prejudice Is Inappropriate and Unjustified** Defendant's request for dismissal with prejudice aims to permanently bar Plaintiff's claims, a severe measure typically reserved for cases lacking merit or procedural validity. Plaintiff's complaint, however, is well-supported by substantive evidence and meets all procedural requirements. Dismissal with prejudice is particularly unjustified where claims have not been fully and fairly adjudicated on their merits. Plaintiff has presented clear and specific allegations regarding systematic harassment, intentional emotional distress, and procedural inequities, each substantiated by compelling evidence. To grant dismissal with prejudice in this context would be contrary to the principles of fairness and justice that underlie the judicial system.
- **Plaintiff's Compliance with Tennessee Statutes Highlights Good Faith** Plaintiff has complied with all procedural requirements, including submitting filings via USPS-confirmed mail, and notarizing affidavits and has a PACER account. Plaintiff's diligence reflects her commitment to justice and the integrity of this process. Defendant's reliance on regular mail and the repetitive nature of their filings contrasts sharply with Plaintiff's efforts, further underscoring Plaintiff's credibility and dedication.
 1. **Affidavit of Service:** Plaintiff includes her sworn Affidavit, Notice of Service, and Certificate of Service, attesting to the steps taken to serve Defendant within the required timeframe. And the signed Return on Service of summons by mail, responses dated March 21st, 2025 exhibit A and April 2nd, 2025, exhibit B, and USPS confirmation receipt #9410 8301 0935 5003 1450 50 as exhibit C.

2. **Request for Clarification:** To prevent future procedural issues, Plaintiff respectfully requests that Defendant specify the precise location designated for service of process to eliminate ambiguity and delays.
- **Defendant's Motion Fails to Introduce New or Substantive Claims** Defendant's recycled arguments are insufficient to warrant dismissal. Plaintiff's complaint articulates clear and specific claims of systematic harassment, intentional emotional distress, and procedural inequities, all supported by compelling evidence. The Tennessee Rules of Civil Procedure, specifically **Rule 8.01**, are satisfied by Plaintiff's concise statement of claims, which informs Defendant of the case's nature and grounds for relief. Defendant's failure to engage substantively with Plaintiff's claims demonstrates their reliance on procedural avoidance rather than addressing the issues raised.
- **Jurisdictional Evidence Establishes This Court's Authority** Defendant's operational presence within Tennessee, including its Nashville branch, firmly establishes this Court's jurisdiction under the Tennessee Long-Arm Statute (**Tenn. Code Ann. § 20-2-214**). Plaintiff's business dealings with Defendant were necessitated by the absence of a local branch in Clarksville, and Defendant's direct interactions with Plaintiff further validate this Court's authority to adjudicate these claims.

CONCLUSION For the reasons stated above, Plaintiff respectfully requests this Honorable Court deny Defendant Fifth Third Bank's Motion to Dismiss, **reject** their request for **dismissal with prejudice**, and allow the case to proceed. Defendant's reliance on repetitive procedural arguments demonstrates inefficiency and fails to address the substantive claims at issue. Plaintiff has complied with procedural requirements and continues to maintain transparency and integrity throughout this process. In the alternative, Plaintiff requests leave to amend the Complaint to address any deficiencies identified by the Court.

CERTIFICATE OF SERVICE I, Dr. Regina Jordan-Sodiq, certify that a true and correct copy of the foregoing document has been sent via U.S. Mail and/or email to:

1. Fifth Third Bancorp's registered agent in Tennessee, listed as Corporation Service Company, with their address being: **10200 David Taylor Drive, Suite 200, Nashville, TN 37212.**
2. Katherine R. Rogers Burr & Forman, LLP 222 2nd Avenue South, Suite 2000 Nashville, TN 37201 615-724-3200 (office) 615-724-3290; krogers@burr.com

AFFIDAVIT OF SERVICE I, Dr. Regina Jordan-Sodiq, being duly sworn, declare as follows:

1. **Service of Process Compliance:** On April , 2025, I sent a copy of the Defendant Fifth Third Bank's Motion via USPS Certified Mail with confirmation receipt requested. A confirmation receipt request to verify delivery has been retained as proof of service.
2. **Certificate of Service:** I, Dr. Regina Jordan-Sodiq, certify that a true and correct copy of the foregoing document was mailed and emailed to Katherine R. Rogers, Burr & Forman LLP, 222 2nd Avenue South, Suite 2000, Nashville, TN 37201, on April 2, 2025. Fifth

Third Bancorp's registered agent in Tennessee, listed as Corporation Service Company, :
10200 David Taylor Drive, Suite 200, Nashville, TN 37212.

3. This attests to when mailing occurred in compliance with Tennessee law.
4. **PACER Account:** I now have an account to ensure compliance and transparency in my filings.

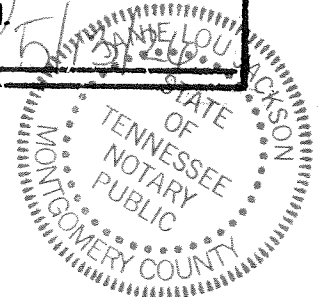
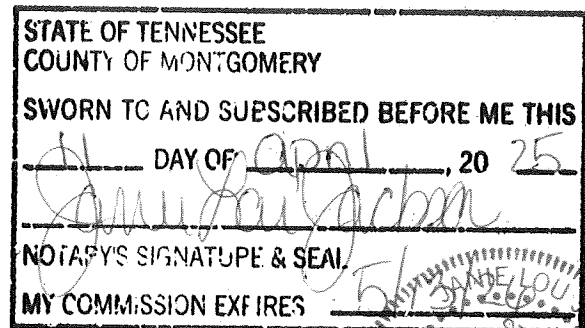
I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date: April 11th, 2025

Respectfully submitted,


Dr. Regina Jordan-Sodiq Pro Se
1757 Autumnwood Blvd Clarksville, TN 37042

Notary:



CERTIFICATE OF SERVICE

The undersigned hereby certifies that the (pleading)

has been served on: Response to Fifth Third Bank Motion to Dismiss

(Name) Kimberly S. Spirs
(Address) 219 Church Street
(Address) Suite 3300, Nashville TN 37203

(Name) Katherine R. Rogers
(Address) Buell & Foreman, LLP
(Address) 222 Second Ave South, Suite 2000
Nashville TN 37201

(Name) Stanley Mitchell Ross
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(Address) 1320 Adams St, Suite 1400
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(Name) John H. Dollarhide
(Address) Bottles Snow LLP
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Nashville TN 37201

(Name) Cole William Schott
(Address) 3102 West End Ave, Suite 1100
(Address) Nashville TN 37203

on the _____ day of _____, 20____.

Continue -

Signature

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the (pleading)

Response to Fifth Third
Motion to Dismiss

(Name)

W. Scott Sims

(Address)

3102 West End Avenue, Suite 1100

(Address)

Nashville TN 37203

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on the 14th day of

April

2008

[Signature]
Signature